Research Report

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Forum: **Security Council**
Issue: **The question of the increasing fragmentation of power in Libya**

Position: **Deputy President**

Introduction

The situation in Libya has become worse and worse in the last few years. Beginning with the Arab spring in 2011 there has been a lot of unrest, fighting and overall chaos. In 2011 the first civil war started, this war was mostly against Qaddafi. At the end of this war Qaddafi was killed and captured and Libya was announces liberated. However, the fighting did not actually stop and the elected government did not have a lot of power. This led again to protests and violent actions against the government, which resulted in the second Libyan civil war. The second civil war started out as mostly a conflict between two rival governments. However, between 2014 and now another third government has been established, local militias are fighting and control certain parts of the country, and ISIS has risen in Syria, controlling some desert areas and towns. This means that Libya is very fragmented, there is no functional government, and fighting still happens every day, making the country unsafe for all the civilians that live there. The situation right now is a situation that should not be sustained, but all peace-making efforts have not resulted in anything. Meanwhile, the people in Libya are suffering and a lot of the country is in ruins.

Definition of Key Terms

Arab spring
The Arab spring began in December 2010 in Tunisia with protests. This marked the beginning of the Tunisian revolution. Following this event more protests erupted within the Middle-East and North Africa. The Arab spring includes all these events. In Egypt, Tunisia and Libya the regimes were toppled and in many other countries the autocratic rule ended. The protests happened as a reaction to the ruling elites, human rights violations and corruption.

Armed rebellion
A rebellion is a refusal of obedience or order. It mostly refers to open resistance against the government of a country. In an armed rebellion the people who refuse the obedience or order carry weapons with them and in many cases use them against the government.

Rebel group
A political group that wants political change or wants to establish or maintain independence and uses an armed conflict to the established government as a means to reach their goals.

General Overview

History of Libya

Royal Libya and the Qaddafi regime

After being a colony of Italy from 1911 to 1943 and being under Allied occupation from 1943 to 1951, Idris I, the first Libyan king, declared Libya independent on the 24th of December in 1951. Libya began as a kingdom in which political parties were prohibited and with a constitution which created a federal state with a separate parliament for each province.

In 1959 significant oil reserves were discovered in Libya. While first being independent on international aid and the rent from American and British air bases, Libya now became an oil-rich monarchy. The discovery of oil made an increase in all government services and enormous construction projects possible, but it also resulted in an increase in the cost of living.

On the first of September in 1969 a coup was carried out by Muammar al-Qaddafi, who gained control of Libya and proclaimed Libya a republic. He directly became commander-in-chief of the armed forces and chairman of the council that now governs Libya. Qaddafi has a firm grip on the country, all Libya's policies are entirely his own. In 1977 he renames the country to 'People's Socialist Libyan Arab Jamahiriya'. Jamahiriya literally means government through the masses which implies that the power is transferred to the about 1500 local committees. However, in reality the country is still mostly ruled by one man.

In the beginning of the 1980s the demand for oil dropped. As Libya was mostly dependent on oil, this impeded on Qaddafi's efforts to play a strong regional role. Efforts to radically change the society and economy are also slowed down and sign of domestic discontent begin to arise. This led to opposition movements launching attacks against Qaddafi and his supporters, however, the opposition movements were arrested and executed.

In the 1980s the relations between the US and Libya had deteriorated, resulting in the US bombing of Tripoli and Banghazi in 1986 against what are said to be terrorist targets. The bombing caused several deaths, among those members of Qaddafi's family. Qaddafi narrowly managed to escape. In the years that followed Libya's foreign relationships worsened. In 1996 the UN and the US implemented economic sanctions against Libya. This resulted in successful Libyan efforts to restore foreign relationships. The relations with the UK were restored at the end of the 1990s and in 2003 the sanctions were lifted. In the following years one of Qaddafi's sons emerged as a proponent of reform and helped Libya adjust in order to attract Western businesses and foster tourism.

Arab spring and the first civil war
The Arab spring began with the revolution in Tunisia on the 17th of December 2010. In Libya the anti-government protests began on the 15th of February in 2011. The Libyan security forces used water cannons and live fire against the protestors, resulting in a number of deaths and injuries. As the protests intensified the anti-Qaddafi movements took control of Banghazi and the unrest spread to Tripoli. Government forces began to use lethal force freely, firing directly at crowds. The government also restricted the communication services by blocking the internet and interrupting telephone services. These actions drew condemnation from leaders from foreign countries and human rights organisations.

Within days of the first protest the revolt turned into an armed rebellion as demonstrators acquired weapons from abandoned government arm depots. In late February the rebellion groups had expelled most of the pro-Qaddafi groups from the East of Libya. Qaddafi's supporters continued to hold Tripoli, where Qaddafi also remained.

During these actions the international pressure for Qaddafi to stop down gradually increased. On the 26th of February the United Nations Security Council (UNSC) approved a measure that included sanctions against Libya, such as travel bans and an arms embargo. The European Union and a number of other countries also imposed sanctions.

In early March the rebel groups established the Transitional National Council (TNC) which aimed to act as the rebellion's military leadership and the representative of the Libyan opposition, to provide services in rebel-held areas and to guide the transition to a democracy. The next weeks there was not much that changed, Qaddafi had enough soldiers to hold Tripoli and the fighting mostly took place around Tripoli.

Meanwhile, the international community discussed about military or diplomatic intervention in Libya, however they were very divided about what to do. They did pressure Qaddafi to step down and some countries even recognised the TNS as the official Libyan government.

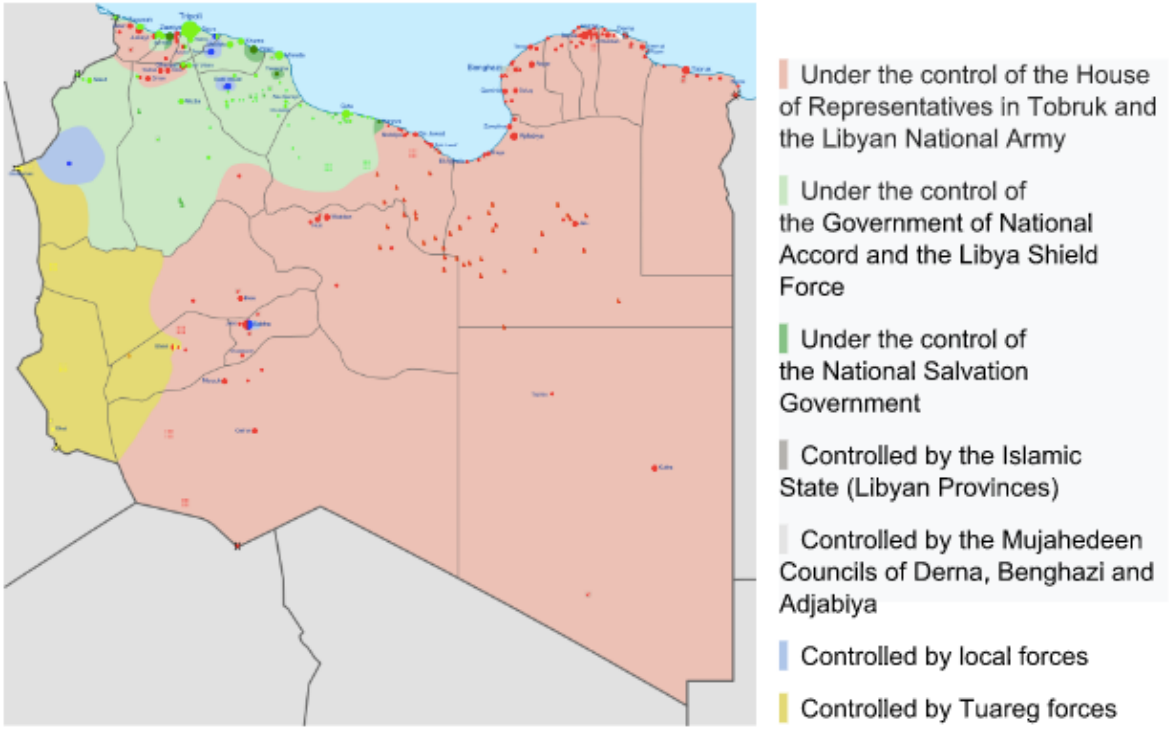
On March 15 pro-Qaddafi groups advanced on the rebels, capturing Ajdabiya, the last large rebel held city on the route to Banghazi. On March 17 the UNSC authorised military action in Libya, which included a no-fly zone to protect civilians. Beginning on the 19th of March, an international coalition led by the United States, France and the UK began to launch air and missile strikes in order to disable Libya's air force and air defence systems. Within a week the Libyan air forces were destroyed, but heavy fighting continued on the ground.

At the end of April NATO, which had taken the lead of the international coalition from the US, France and the UK, began to target government buildings which were associated with Qaddafi. In August the rebels began to advance on Qaddafi, they took control of one of the largest oil refineries in Libya and advanced into Tripoli. In early September the rebels had established a solid control of Tripoli which led to the TNC moving to Tripoli. On the 20th of October 2011 during the final battle of the civil war, the battle of Sirte, Qaddafi was captured and killed.

Aftermath of the Libyan civil war
At the 23d of October 2011 the TNC officially announced Libya as liberated, they promise to establish a provisional government within a month and elections for the constituent assembly and parliament within a year. At the 22d of November the provisional government has been established, but local rebel militias have refused to put down their weapons and confrontations among these groups are common.

In July 2012 the elections are held and the General National Congress (GNC) replaced the TNC. Ali Zeidan has been elected as prime minister. Within the GNC disputes over the assembly's functions and mandate arise quickly, threatening the viability of the GNC. The government is unable to control the rebel militias, which cause gradually increasing bloodshed as a result of increasing divisions between the armed groups. Some groups also try to exact concessions from the government by disrupting the oil production, which is the main source of revenue of the government.

When the GNC had decided that they would extend their mandate in the end of 2013 public protests began. In May 2014 there was an unsuccessful attempt to seize the parliament building. This marked the beginning of the second Libyan civil war.



Second civil war

In June 2014 parliamentary elections were held in Libya. However, due to the fighting the voter turnout was very low. The liberal and nationalist politicians won the majority of the seats and established the House of Representatives (HoR). The Islamists suffered a heavy defeat. This led to clashes breaking out, because Islamic militias conducted a coup d'état in Tripoli to support the parties who lost. The Libyan civil war mostly started as a conflict between these two rival governments. However, it quickly became more complicated, because of disagreements within the governments and local militias. In this section I will go over the important actors in the conflict and the international intervention.

House of Representatives
The House of Representatives (HoR) is also known as the Tobruk government and is a democratically elected government. The HoR has the loyalty of the Libyan National Army and is also backed by Egypt and the UAE. On the 6th of November in 2014 the Libyan Supreme Constitutional Court ruled that the elections had been unconstitutional and that the HoR should be dissolved. However the HoR rejected this ruling and stayed in power of Eastern Libya. In October 2015 the UN announced a proposal for the HoR to share power with the rival GNC government under a compromised prime minister. Both sides did not agree to the final terms and rejected the proposal. However this did lead to an agreement to form the Government of National Accord and hold new elections in two years on the 17th of December 2015. This plan did also not work, as the HoR voted against it in the summer of 2016 and in the early months of 2017 the cooperation between the two governments broke down completely.

The Libyan national army is under the control of Khalifa Haftar. He is the one who is behind the refusal of the GNA and caused a division within the HoR. Haftar has also been steadily gaining power in Libya since 2014, when he launched a successful military campaign against Islamist groups and he seized four oil export terminals. Haftar has a large and growing influence over Libya, mostly in the East, unlike the GNA which has been losing legitimacy. Haftar is one of the most powerful people in Libya and security experts argue that when Haftar does not agree it is unlikely that something will happen. The international community has also recognised that Haftar's participation is crucial if they want to establish a government.

Government of National Accord
The Government of National Accord (GNA) has been formed on the 17th of December 2015 and has been unanimously endorsed by the United Nations Security Council. This government was first backed by the two rival governments, the House of Representatives and the General National Congress, however the HoR withdrew their support and the GNA is only backed by part of the GNC. Still, this is the government that is recognised by the United Nations as Libya's national government and on the fifth of April the GNC announced that it was suspending operation and that it would hand power to the GNA. After the GNA was formed they became the biggest rival government of the HoR. In early 2017, the GNA still lacked popular support. This was because they had a weak military force and were unable to control Tripoli.
ISIS

After the first Libyan civil war ended, many rebel fighters went to Syria to fight against Bashar al-Assad. One group of those Libya declared the establishment of the Battar Brigade. This group would later pledge loyalty to ISIS. In early 2014 many Battar Brigade veterans returned to Derna, a city in Libya. They formed a faction which they called the 'Islamic Youth Shura Council' In Libya they began to recruit militants from other local rebel groups. In the next few months they declared war against everyone in Derna who opposed them and killed many people.

In September 2014 an ISIS delegation came to Libya and the Islamic Youth Shura Council came together and pledged loyalty to ISIS. In November 2014 three 'provinces' in Libya were created by Al-Baghdadi, the leader of ISIS. These provinces were Fezzan in the desert south, Cyrenaica in the east, and Tripolitania in the west. In the beginning, ISIS claimed a presence in al Bayda, Benghazi, Sirte, al-Khums and Tripoli. Around December 2014 ISIS attacked oil installations and international hotels, they performed mass executions and tried to take over more Libyan territory.

ISIS' rule in Sirte became more solid and they used the city as a base to expand the territory. They took over neighbouring towns, an Air base and important infrastructure. In other parts of Libya they suffered of losses during this period, because of rival rebel groups and international bombings. In December 2016, after a battle that lasted 7 months, Libyan forces took over Sirte from ISIS. ISIS withdrew to more Southern areas. ISIS now still has a headquarter in Benghazi, but now mostly does low level attacks on infrastructure.

Figure 2 Maximum extent of ISIS control in Libya, around early 2016

Major Parties Involved

Libya
Libya is the country where this conflict is happening. As a result of this conflict, many civilians have died and over 400,000 civilians have been internally displaced. Libya currently has three rival governments, militias fighting for power, and an ISIS presence.

United States
After the Libyan civil war broke out in 2011, the US started a military intervention in the conflict. They aided anti-Gaddafi rebels with air strikes against the Libyan army. The current president of the United States, Barack Obama, said that the US was committed to the Libyan people and he promised to help with the development of a new Libyan state. In 2016 the US began bombing Libya, with permission from the GNA, in order to fight against ISIS.

Egypt
The government of Egypt supported Haftar's role of governing Libya. The president of Egypt, Abdel Fattah al-Sisi, has been strongly pushing between the two Libyan governments, the House of Representatives and the GNA, in order to end the civil war. Egypt supplies the HoR with arms deals. Having the Eastern part of Libya under the role of a someone who is friendly to the country, creates a buffer zone for Egypt.

Russia
Russia was not in favour of the move that the NATO made to overturn Muammer Gaddafi. However, Russia did not veto the UNSC resolution which called for an intervention in Libya in 2011. Since 2011, Russia has used Libya as an example of the failure of the Western world in the Middle East. The Russian government has stated that it wants to play a role in restoring a strong regime in Libya. In March 2017 the spokesman of Putin said: "Russia is interested in Libya finally becoming a working state after this barbaric intervention that was conducted from outside, that led to catastrophic consequences from the point of view of the Libyan state and the future of the Libyan people. That is why we are interested in the swift development of durable power in Libya that can begin the process of restoring and recreating the state"

UN
During the Arab spring, Pro-Gaddafi forces responded military to rebels, a town 48 kilometres from Tripoli was bombarded by the Libyan air force. The United Nations condemned this action as violating international law. On the 17th of March 2011 the UNSC passed resulotion 1973 which sanctioned the establishment of a no-fly zone and the use of all means necessary to protect civilians in Libya. On the 27th of August in 2014, the UNSC passed resolution 2174. This resolution called for an immediate cease-fire and inclusive political dialogue. Besides this, the resolution threatened to impose assets, like asset freezes and travel bans, to the leaders and supporters of militias which were involved in the fighting, if these individuals would threaten the security of Libya or the political progress. In December 2015 the UN negotiated a cease-fire and in March 2016 the leaders of a new government that was supported by the UN arrived in Tripoli. This government was called the 'Government of National Accord'.

Timeline of Events

1951	Libya becomes independent
1969	King Idris I is deposed in a military coup led by Muammar Qaddafi
1986	US bombing of Tripoli and Banghazi
1996	The US and the UN imposed sanctions against Libya
2003	Sanctions were raised
February 2011	Violent protests break out in Libya
March 2011	- The UNSC authorises air strikes in Libya - The TNC is established
September 2011	Rebels had a solid control of Tripoli
October 20, 2011	Qaddafi was killed
October 23, 2011	The TNC officially announced Libya liberated
July 2012	Elections for a new government
August 2012	The transitional government hands power to the General National Congress (GNC)
February 2014	Protests erupt as a response to the refusal of the GNC to disband after the mandate expires
May 2014	Libyan National Army' general Khalifa Haftar launches military assaults, which include airstrikes in Benghazi and trying to seize the parliament building
June 2014	New parliament is chosen in elections, the outcome results in fighting breaking out
September 2014	New parliament is chosen in elections, the outcome results in fighting breaking out
October 2014	ISIS militia seizes control of port of Derna in Eastern Libya
February 2015	- Offensive of the Libyan army to retake Derna fails - ISIS establishes control over the city of Sirte

October 2015	UN proposal of the Government of National Accord (GNA)
December 17, 2015	GNA has been formed
December 2016	Libyan forces took over Sirte from ISIS

Previous Attemps to solve the issue

Since the civil war in 2011 broke out, the UN has done multiple attempts to solve the issue. Some of them have had very big impacts on the conflict, which are lasting until now. In the beginning of 2011 the UN Security Council passed two very important resolutions, namely resolution 1970 and 1973. Resolution 1970, which was passed unanimously. imposed an arms embargo on the country, froze assets and sanctioned the Libyan government under Gaddafi. It also demanded the International Criminal Court (ICC) to investigate the Libyan government. Resolution 1973 also did multiple things. It demanded a ceasefire, established a panel of experts to look at the sanctions implemented, imposed a no-fly zone over Libya and, most importantly, it gave the authorisation to use 'all means necessary' in order to protect the Libyan civilian population. After this resolution was passed, NATO held up the no-fly zone with its forces and militarily supported rebel groups with airstrikes and naval units. This support did lead to discussions about the mandate of the mission and if NATO was allowed to do this. This was especially because an airstrike by NATO supposedly led to the capturing and killing of Muammar al Gaddafi.

The next relevant UNSC resolution was resolution 2144. In this resolution the UNSC asked for the creation of the United Nations Support Mission In Libya (UNSMIL). UNSMIL has the objective to ensure and facilitate the democratic transition of Libya, to foster the rule of law and human rights, to develop national security institutions, to counter the proliferation of arms and to assist the government. UNSMIL has been mostly successful and also led to the creation of the Government of National Accord.

In May 2016 the Prosecutor of the International Criminal Court, Fatou Bensouda, submitted her report on the situation in Libya. In this report she stressed the importance of the rule of law in Libya as a way to provide for sustainable security. It is mostly the task of the GNA to adopt these recommendations. The UNSMIL is helping them with this process.

Possible Solutions

Because the situation in Libya worsens, they have rival governments, ISIS influences certain parts of the country and local militias do not put down their weapons, one option to solve this issue is a military intervention, delegates might believe that this would be the easiest and most effective way to restore the stability in the country and to restore the political institutions. However, the risks of a military intervention must be taken into account as they are very big. An intervention could cause even more resistance in the Libyan population which could lead to a stronger escalation of the conflict. The political progress that has been achieved could also be endangered by such an operation.

Besides this, the Security Council could lift the arms embargo on Libya. This would enable the government to receive support and weapons from the international community. This action could be done together with giving Libya military, political and economic support in order to rebuild the political institutions and create a stable government that is able to take effective action. Moreover, the Security Council could establish a police and law enforcement operation, which is not in place due to the chaos in Libya. In this operation they could also train Libyan people for these tasks, so that after the conflict the country can handle these tasks themselves. Delegates could also consider to create a much more comprehensive mission by assisting the GNA with reuniting the institutions and to support them to create new structures. Policy advice could also be included in this mission.

Lastly, the Security Council could focus on increasing the legitimacy and the acceptance of the GNA within different groups in the Libyan population. A way to do this is to negotiate the ceasefires and the political agreement made with Libya again, but now on a local level. This tactic would also be a response to the criticism on the actions that the UN has taken in Libya. Critics namely argue that the current approach of negotiating by the UN does not reflect the political reality. However, the danger of this approach is that it could be a very complicated and maybe even destructive step, as renegotiating means that all the progress that has already been made would be seen as obsolete.

Appendix/Appendices

Cook, Steven. "Libya: disconnect and fragmentation." 11 April 2016. Council on Foreign Relations.
https://www.cfr.org/blog/libya-disconnect-and-fragmentation

Cordell, Dennis. "Libya." n.d. Britannica.
https://www.britannica.com/place/Libya/History#toc46563

El-Gamaty, Guma. "Libya: the story of the conflict explained." 27 April 2016. Al Jazeera.
http://www.aljazeera.com/news/2016/04/libya-story-conflict-explained-160426105007488.html

Galustian, Richard. "Reconciliation in Libya." 17 October 2016. Libya Tribune.
http://international.minbarlibya.com/2016/10/17/reconciliation-in-libya/

Hein, Matthias von. "Libya in chaos five years after the death of Moammar Gadhafi." 20 October 2016. Deutsche Welle.
<http://www.dw.com/en/libya-in-chaos-five-years-after-the-death-of-moammar-gadhafi/a-36104604

Kadlec, Amanda. "The dawn divides: the islamic state and libya's inter-islamist war." 11 February 2015. War on the rocks.
https://warontherocks.com/2015/02/the-dawn-divides-the-islamic-state-and-libyas-inter-islamist-war/?singlepage=1

Lacher, Wolfram. "The UN wants to end Libya's civil war. Here's the big challenge they face." 5 November 2015. Washington Post.
https://www.washingtonpost.com/news/monkey-cage/wp/2015/11/05/why-libya-isnt-just-divided-but-fragmented/?utm_term=.a0e5121e1378

Mahjar-Barducci, Anna. "Libya: restoring the monarchy?" 16 April 2014. Gatestone institute.
https://www.gatestoneinstitute.org/4251/libya-monarchy

Mitchell, Jon. "Scenarios for the future of Libya: fragmentation and international intervention." 24 August 2016. Libya Tribune.
http://international.minbarlibya.com/2016/08/24/scenarios-for-the-future-of-libya-fragmentation-and-international-intervention/

Moody, James. "Conflict stabilisation in Libya." 10 June 2016. Armed Conflict Location & Event Data Project.
<http://www.crisis.acleddata.com/conflict-stabilisation-in-libya/

Murray, Rebecca. "Libya anniversary: 'the situation is just terrible'." 16 February 2015. Al Jazeera.
http://www.aljazeera.com/news/2015/02/libya-anniversary-situation-terrible-150216082028555.html

Pack, Jason. "Libya's power blocs are fracturing." 13 February 2015. Al Jazeera.
http://www.aljazeera.com/indepth/opinion/2015/02/libya-power-blocs-fracturing-150213055241373.html

Perroux, Jean-Louis Romanet. "The failure to end Libya's fragmentation and future prospects." May 2017. Crown Center for Middle East studies.
http://www.brandeis.edu/crown/publications/meb/meb110.html

Ramesh, Randeep. "The UN should be the solution in Libya, but it's the problem." 14 February 2016. The Guardian.
https://www.theguardian.com/commentisfree/2016/feb/14/address-isis-libya-hampered-un

Reitano, Tuesday. "The Politics of Power, Protection, Identity and Illicit Trade." May 2017. United Nations University.
https://i.unu.edu/media/cpr.unu.edu/attachment/2523/Libya-The-Politics-of-Power-Protection-Identity-and-Illicit-Trade-02.pdf

Sen, Ashis Kumar. "How do you solve a problem like Libya?" 20 May 2015. Atlantic Council.
http://www.atlanticcouncil.org/blogs/new-atlanticist/how-do-you-solve-a-problem-like-libya

Sharkov, Damien. "Kremlin comdemns NATO's 'barbaric' Libya intervention ahead of PM visit." 1 March 2017. Newsweek.
<http://www.newsweek.com/kremlin-condemns-natos-barbaric-libya-intervention-ahead-pm-visit-562507